

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILLIE MURPHY, SR.,

Plaintiff,

v.

JUDGE ROBERT B. FREEDMAN, et al.,

Defendants

No. C-14-0906 MMC

**ORDER DISMISSING AMENDED  
COMPLAINT WITHOUT FURTHER  
LEAVE TO AMEND; DIRECTIONS TO  
CLERK**

By order filed March 27, 2014, the Court dismissed plaintiff's complaint, denominated a "petition," for failure to state a claim upon which relief can be granted. In said order, the Court identified the deficiencies in plaintiff's complaint, specifically, the failure to include sufficient factual content to allow the Court to draw the reasonable inference that any of the defendants is liable for any misconduct, and afforded plaintiff leave to file an amended complaint.

Before the Court is plaintiff's amended complaint, again denominated a "petition," filed April 16, 2014. Having read and considered the amended complaint, the Court rules as follows.

As set forth in the Court's March 27, 2014 order, where, as here, a party proceeds in forma pauperis, the district court must dismiss the complaint if the court determines the

1 plaintiff has failed to state a claim upon which relief can be granted. See 28 U.S.C.  
2 § 1915(e)(2)(B)(ii). As was the case with his initial complaint, plaintiff's amended complaint  
3 consists of broadly stated legal conclusions (see, e.g., Pet. at 4:7-8 (alleging "[t]he action of  
4 [defendants] is one of RICO Act, where the police officers are targeting a certain class of  
5 citizens")), and statements of general legal principles (see, e.g., Pet. at 2:2-4 (alleging  
6 "persons born or naturalized in the United States" are "citizens of the United States")).  
7 Also, as was the case with his initial complaint, plaintiff's amended complaint lacks facts  
8 that would support a claim that any of the numerous defendants named therein are liable to  
9 plaintiff for any misconduct.<sup>1</sup> In sum, plaintiff has failed to cure the deficiencies identified in  
10 the Court's March 27, 2014 order.

11 Accordingly, plaintiff's amended complaint is hereby DISMISSED for failure to state  
12 a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), without further leave to amend.

13 The Clerk is directed to close the file.

14 **IT IS SO ORDERED.**

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16 Dated: April 18, 2014

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MAXINE M. CHESNEY  
United States District Judge

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<sup>1</sup>The named defendants include state court judges, lawyers, a law firm, and a police department.